

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ JUL 17 2008 ★

BROOKLYN OFFICE

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F.#2005R02143

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

- against -

JEFFREY FISHMAN,

Defendant.

NOTICE OF MOTION

**CR 08 485**  
**COGAN, J.**

- - - - - X

**MANN, M.J.**

PLEASE TAKE NOTICE that the undersigned will move this Court, before a judge to be assigned, for leave to file an information upon the defendant's waiver of indictment pursuant to Rule 7(b) of the Federal Rules of Criminal Procedure.

Dated: Brooklyn, New York  
July 17, 2008

BENTON J. CAMPBELL  
United States Attorney  
Eastern District of New York

By: Taryn A. Merkl  
Taryn A. Merkl  
Assistant U.S. Attorney

cc: Steven R. Peikin, Esq.  
Clerk of the Court